G R S App F IX 4]

Previous References

1942-

(TL)

File No 16-42

Serial Nos. 23303
37

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Dec 42

SUBJECT

Acquisition of C and in Kerala
- Govt Trm

To,
The D C Trichur
The Commr for ZR
R 5139-41 dt 4 11 42
Sanctions the acqn
of N Rs the Statement
The D C Trichur
R 5 6144 dt 5 12 42
issues certain instructions

(1)

General and Revenue Secretariat | Part File No 16 of 1942 | [App F III—2

Serial No 23

From

The D C Trincomalee

Letter no L A 2 14/38 & 39 d 16 10 42

Requests orders in the matter of withdrawal of acquisition of one acre of land in S no 2 of Konatagen from which was notified as being required for the formation of a Bus Stand and in the matter of acquisition of the same land for the construction of a Veterinary Dispensary

In view of the urgency of the case as the Vety Dispensary building has already been constructed the D C has sent both the preliminary and final notifn forms for approval and publication and kind reference is invited to the statement of the owner of the land He has no objection to the acqn of an acre out of the Kharab portion of the S no provided the value as the compensation amount is arranged to be paid to him for the service of Sri Anganeyaswamy Temple for whose benefit the land in question was an

NOTE—Contn sheet

Serial No

mean from the DCs letter and the note forces it is not clear whether the land proposed to be acquired does not include the wet land also How the res other request of the petty has been disposed of is also not clear

Submd for orders if whether information on the above points may be called for or whether the recommendations of the DC may be approved

PWD

BC 14/11 2) In the preliminary note no 2 4198 dtd 15 38 — N dated 22 11 1938, the acquisition of land — one acre and two of Kavathapuram village — has been sanctioned for a Bus Stand But in the same site, the Veterinary dispensary PWD has been constructed

3) The Tahsildar requests that the note dated 22 11 1938 may be withdrawn fresh 'N' proceedings may be taken for the acqn of the land (same as) for locating the Veterinary dispensary We compensation charges amting to Rs 9378/- have been created to the Tahsildar vide ML 1 Flag V (reverse

4) Re point for consideration as whether fresh proceedings should be instituted in respect of same land which is utilized for the construction of a Veterinary dispensary — which is also a public purpose since the final declaration stateme

Serial No

have not yet been published, the purpose merely stated therein as "Custom Veterinary Dispensary" which is as much a public purpose as that of the erection of a Bus Stand. No doubt need arise any objection so long as the land is used for a public purpose of the kind of "public purpose" as one which is left to the discretion of Govt & nothing prevents the Govt from utilizing a land acquired for a public purpose for another purpose, so long as it is a public one. Further, once the land has been taken, the owner of the land is precluded from raising a question in a Court of Law about the necessity of acquisition of a public purpose for which the land is or maybe proposed to be acquired. Having regard to the above facts, it does not appear necessary to withdraw the pre-liminary notification but to publish the final declaration which covers the words "for the construction of a Veterinary Dispensary" as the public purpose for which the land is required. The final statements are also on the file if they may be required.

For orders.

5) Law secy [illegible] 17/11/42

6) Agreed [illegible]

7) Pl [illegible] for 18/11/42 [illegible] 18-11-42

LCY to UEPT 5 331

NOTE—Cont Sheet

WD 0415—GPB—5 000—23-10-41

Rel File No 12148/L 16 of 1942 — General and Revenue Secretariat

Serial No

8) Subd with three drafts for orders

BG 19/11 W 9/11

9) 1) Issue

10) 2) Please furnish a separate letter communicating the views of Govt on the matter to the DC — why it was considered unnecessary to withdraw the proceedings for the — W 11/11

G & R SECTT

TYPING SEC 23 NOV 1942 GEN & REV SECTT

30 To the DC Tumkur, Comptroller & Govt for Settlement & LR L 5139-41 d 24 11 42 — sanctions the acqn recommended

31 To the Conservator Forests. Note for no. L 5142 & 24 11 42 — Submd with a draft letter to the DC Tumkur Refee para 10 Supra

Draft

BG 30/11

Law Secy 1/12/42

SECY TO GOVT (P&S) STAFF GOVT OF MYSORE

Cir 3-12-42

Issued 3/12/42

37 To the DC Tumkur L 5614 & 5/12/42 — States that for the reasons explained, the institution of fresh acqn proceedings is unnecessary

B

DG 15/12

GS 15/12

Rel 16-42—23

C F No 4.]

GOVERNMENT OF MYSORE

2448/L

OFFICE OF

The Deputy Commissioner,

Tumkur District,

Tumkur,

No L A R 14/38-39

Encls

Date 16th October 1942

To C NARAYANASWAMY NAIDU, ESQ B A B L,

Secretary to Government of Mysore,

Law Department, Bangalore

Sir

Subject - Acquisition of one acre of land out of S No 2 of Koratagere Town

I have the honour to state that in accordance with your letter No 4197/M1 15-38-51 dated 22-11-1938 to the Compiler, Mysore Gazettee, the preliminary notification relating to the acquisition of one acre of land out of S No 2 of Koratagere town, required for the Bus Stand at the place was duly published calling for objections Before the sanction of Government was sought for the acquisition in question the Town Municipal Council, Koratagere resolved on 8-5-1940 that a seperat site may be selected for the Bus Stand, as the site originally selected was used for the construction of a Veterinary Dispensary at the place They also resolved that the land may be acquired for the construction o the Veterinary Dispensary and the cost thereof met out of Municipal Funds A Veterinary Dispensary has already been constructed at the place In these circumstances, I request you kindly to obtain the orders of Government to withdraw the acquisition of S No 2 for the purpose of the Bus Stand and to cause the publication of fresh preliminary notifications proposing to utilise the land for the Veterinary Hospital building

The cost of acquisition will be met out of Municipal Funds and the same has already been placed at the disposal of the Land Acquisition Officer

The Sub Division Officer, Madhugiri may be authorised to hear objections, if any that may be preferred against the acquisition

Twenty-five spare copies of the notification may be caused to be sent to the Madhugiri Sub Division Officer, direct

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Tumkur District

DRAFT

SUBJECT _____

Ale

Section nil

File No 16-42

Serial No 30

Diary No of letter replied to —

Proceedings of the Government of His Highness the Maharaja of Mysore

Read –

Letter No L A R 14/38-39 dated 16-10-42

from the Deputy Commissioner Tumkur District

recommending sanction to the acquisition of one acre of land out of Sy No 2 of Koratagere in the ~~town~~ village ~~village of~~ Koratagere Taluk now required for the construction of a Veterinary Hospital at the place.

Date of issue 24-11-42

Signed by Mr. G R Rao

(land formerly reserved as required for the Pro Stand at the place)

Order No L 5139-42 **Dated** Bangalore 24-11-42

1 The acquisition of the property recommended above is sanctioned the Assistant Commissioner in charge of the Madhugiri Sub Division being appointed to perform the functions of a Deputy Commissioner under the Land Acquisition Act and authorised to take order for the acquisition of the said property

2 Extract of the [illegible] land has been already reserved as [illegible] for a purpose, whether this future [illegible] may be necessary from the acquisition and he not by the Municipality as proposed by the Commissioner / As the land is still required for a [illegible] Authority

Comments will be sent in a separate letter

deposited

2 The declaration statements in English and Kannada will be forwarded to the Comptroller Mysore Gazette for publication

3 The cost of acquisition will be met out of the funds of the Koratagere Town Municipality Council for the purpose

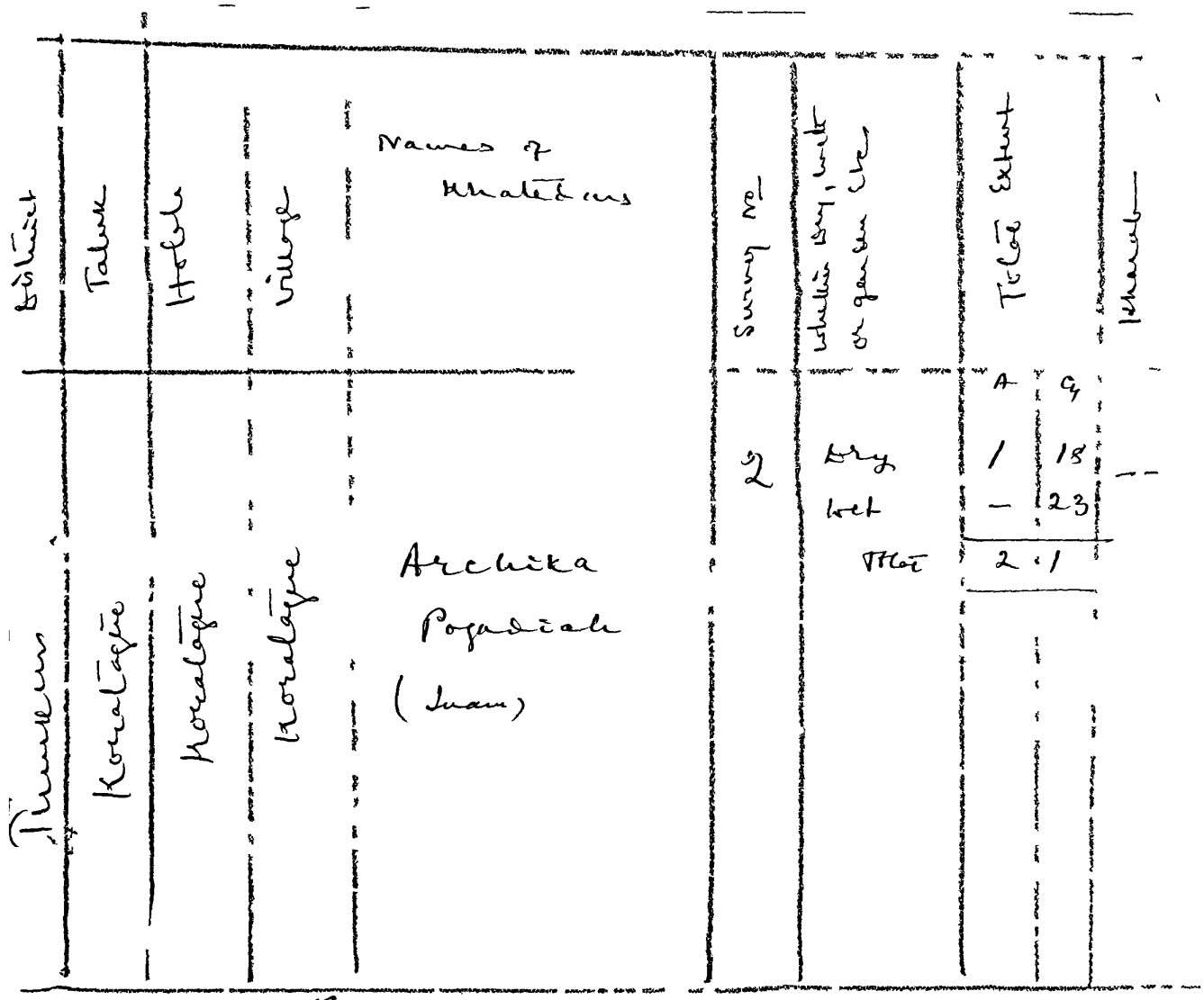
By Order &c

Secretary to Government
Revenue Department

To–The Deputy Commissioner Tumkur District
with records
The Comptroller to the Government of Mysore
The Commissioner for Settlement & Land Records
Mysore

under section 4 (b) (iii) Land Acquisition Act 1 of 1894 the lands under are required for a public purpose viz for the extension of Veterinary Hospital at Koratagere and under the Commissioner in charge of Madhugiri Sub Division

Said lands

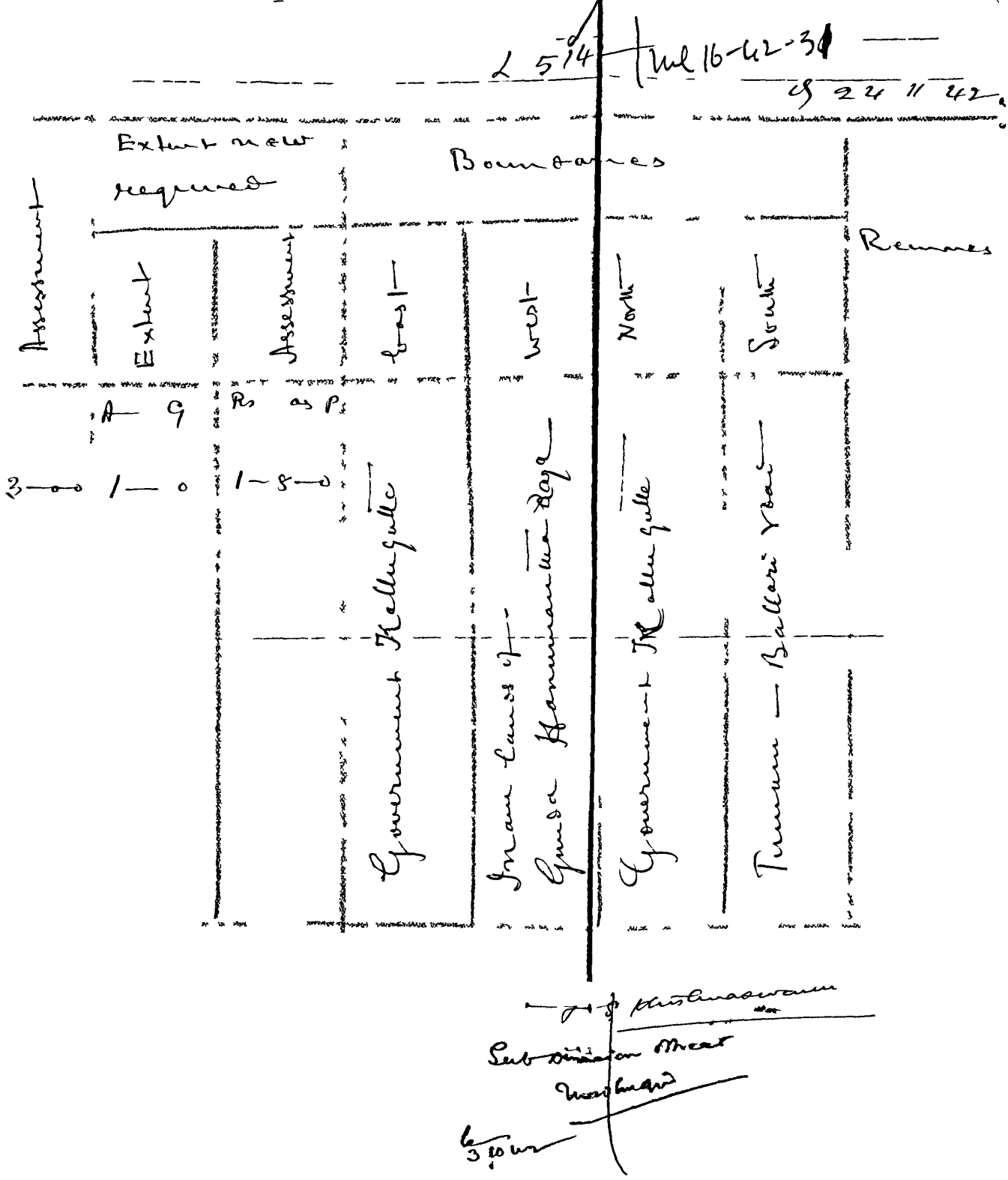


B O

For Secy to Govt Law Dept

Deputy Commissioner & Dist Collector Tumkur Dt

III' of 1894 it is hereby declared that the lands described for the ~~purpose aforesaid from~~ Boundaries Construction sections 7 and 3(c) of the said Act, the Assistant ...sion is authorised to take order for the acquisition of the



[Revenue Form No 118]

ತಾರೀಖು

ನಂಬರ್

ಇನ್ತಿಹಾ

1894ನೆಯ ವರ್ಷದ 7ನೆಯ ನಂಬರ್ ಅಕ್ವಿಜಿಷ್ಷ ರೆಗ್ಯುಲೇಷನಿನ 6ನೆಯ ಪ್ರಕರಣವನ್ನನುಸರಿಸಿ ಇದರಿಂದ ಪ್ರಸಿದ್ಧಪಡಿಸಿ ಪ್ರದೇಸೆಂದರೆ — ಇಬರಡಿ ಎವರ

ಆವಶ್ಯಕವಾಗಿದೆ ಮತ್ತು ಮೇಲ್ಕಂಡ ರೆಗ್ಯುಲೇಷನಿನ 7 ಮತ್ತು 3 (c) ಪ್ರಕರಣಗಳನ್ನನುಸರಿಸಿ

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ಸಂಗಡ ಕಳಿಸಿದೆ

ಸೈಟಿಗೆ ಸಂಬಂಧಪಟ್ಟ

ಹೋಬಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ

ಗ್ರಾಮಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ

BO

For secy to Govt., Law Dept.

BE

Draftg)

WD 02144 GP

ರ್ಮೆ

ುವ ಜಮಾನು ಸರ್ಕಾರಿ ಕೆಲಸಕ್ಕೆ ಎಂದರೆ

ಶಿ ಇಲ್ಲ

ಚಾರ್ಜಿನಲ್ಲಿರುವ ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರಿಗೆ ಸದರಿ ಜಮಾನನ್ನು ಹೊಂದುವುದಕ್ಕೆ ತೆಮ ಜರುಗಿಸಲು ಅಧಿಕಾರ ಕೊಟ್ಟಿದೆ

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Subramanyeshwara
Asst Collr
Mangalore Taluk

Sub Inspector of Meer
Quadrangle

ಅಪ್ಪಣೆಯ ಮೇರೆಗೆ

ಸರು ಸರ್ಕಾರದ ಜನರಲ್ ಮತ್ತು ರೆವಿನ್ಯೂ ಕಛೇರಿ

Appendix F G —1]

SUBJECT

Section rel

File No 16-42

Serial No 37

Diary No of letter replied to

No L 5614

General and Revenue Secretariat

( )

the *194*

To

The D C Tumkur

Sir,

With refee to your letter no LAR 14/38 39 & 16 to 42 in the matter of acquisition of one acre of land out of Sy no 2 of Koratagere village Koratagere Taluk for the construction of a Veterinary Hospital, I am directed to invite reference to Govt no L 5139-41/rel 16-42-30 dated 26 11 42 sanctioning the acquisition and publishing the land.

Date of issue 5/12/42

Signed by Mr GPRao.

List of enclosures

Codied by

Examined by

WD C4161—GPB—60 000—24 10 41

declaratoi statements respectively

It was
You have suggested in your letter
under advertence that the preliminary
Notfn already published for the acquisition
of the land in question for the formation of a
Bus Stand may be withdrawn and fresh
Notfns published for its acquisition, as the
land was not used for the purpose for which it
was originally intended, but was actually leased for
the construction of a Veterinary Hospital Govt considr
that the adoption of such a procedure is unnecessary,
inasmuch as the land was proposed to be already acquired for
a public purpose in Notifn no. L 4198/Rel 15-38-5
dt 22 11 38 and as the construction of a Veterinary
Hospital is as much a public purpose as the
formation of a Bus Stand. Further, when once
a property has been acquired for a particular public purpose,
Govt can, at their discretion, use it for quite a
different purpose so long as the purpose is
or remains to be a public purpose one

I have etc

for

for Secy to Govt, Law Dept

Copies to the
DC, Coimbatore of other DCs
Presdt of Dt Bds
Presdt Municipality
Mdl Municipality Bus Stand Committee
Mdl Municipality Bus Stand Committee

BG